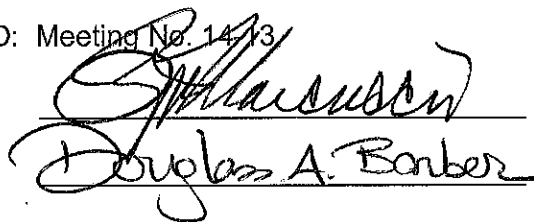


APPROVED: Meeting No. 14-13

ATTEST:

  
Douglas A. Barber

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
December 10, 2012  
7:00 p.m.  
Meeting No. 39-12

**Present:**

Mayor Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala.

**Staff Present:**

City Manager Barbara Matthews, City Clerk/Treasurer Doug Barber, and City Attorney Debra Daniel.

**1. Convene**

The Mayor and Council convened in a regular meeting at 7:02 p.m. on Monday, December 10, 2012, in City Hall, 111 Maryland Avenue, Rockville, Maryland 20850.

**2. Pledge of Allegiance**

Mayor Marcuccio led the Pledge of Allegiance.

**3. Agenda Review**

City Clerk Barber noted there were no changes to the agenda.

**4. City Manager's Report**

City Manager Barb Matthews noted the following:

- The City's Human Rights Commission wanted to remind all that today is Human Rights Day to honor the adoption of the Declaration of Human Rights the United Nations General Assembly. Reminder of MLK Jr. Day event for 2013.
- Parking in Town Square and a website where residents can go to get more information on parking: [www.rockvilleparking.com](http://www.rockvilleparking.com).

- Annual Employee Recognition event and the individuals recognized for longest service to Rockville: Ray Foreman – 45 years; Johnny Canellas – 35 years; and John Davis – 30 years.

## 5. Recognition of Photo Contest Winners for National Community Planning Month

Community Planning and Development Services (CPDS) GIS Specialist Clark Larson provided the presentation of the Photo Contest Winners for National Community Planning Month. The Mayor and Council recognized the winners and presented them with certificates. Contest winners were:

### Under 18 Years of Age category

- 1<sup>st</sup> Place: Wendy Rizzo – “A Dream Pond”  
2<sup>nd</sup> Place: Karina Lenning – “Nature”

### Over 25 Year of Age category

- 1<sup>st</sup> Place: Marissa Tisch – “I can’t believe it’s water”  
2<sup>nd</sup> Place: Carol Russell – “The Living Among the Dead”

## 6. Appointments/Reappointments and Announcements of Vacancies

Mayor Marcuccio announced the appointment of Gerald Holtz to the Traffic and Transportation Commission as a member until December 1, 2015.

**Motion:** To appoint Gerald Holtz as a member to the Traffic and Transportation Commission until December 1, 2015.

Moved by Councilmember Pierzchala, seconded by Councilmember Hall and unanimously approved.

Mayor Marcuccio announced vacancies on the following Boards and Commissions: Human Services Advisory Commission, Planning Commission, Sign Review Board and Traffic and Transportation Commission. Mayor Marcuccio encouraged residents to visit the City’s website for information on how to apply.

## 7. Citizens’ Forum

<i>Citizen</i>	<i>Issue</i>
Julie Palakovich Carr	Financial Advisory Board
Beryl Feinberg	Financial Advisory Board
Oren Rosen	Drug policy reform

## 8. Mayor and Council’s Response to Citizens’ Forum and Announcement.

Councilmember Newton                      there may be mis-information on  
the goals of the Financial Advisory Board and  
thanked those who expressed their opinions

## **9. Mayor and Council's Reports**

Mayor Marcuccio attended the ribbon cutting ceremony of the Lollipop Kid's Foundation, a company that assists children with brain injuries using recycled equipment. Councilmember Moore and his family attended the Menorah Lighting at Town Square where Councilmember Newton spoke.

Councilmember Hall stated that a number of the Mayor and Council had attended the Rockville Economic Development Inc. event where Mr. Al Lampert was honored for his many years of service.

Councilmember Newton thanked Ray and Mary Whalen for opening their home for the REDI holiday party. Councilmember Newton and Mayor Marcuccio attended the Christmas Tree Lighting Ceremony in Town Square. Councilmember Newton also attended the second anniversary event of the Women's Business Center. Ms. Newton mentioned the award on the Maryland Avenue Sidewalk project and congratulated staff who worked on this effort. Mayor Marcuccio mentioned she attended the Senior Bazaar.

## **10. Public Hearing on an Amendment to the Rockville Comprehensive Master Plan and Rockville's Amendment to the Montgomery County Heritage Area Management Plan**

The Mayor and Council convened in Public Hearing on an Amendment to the Rockville Comprehensive Master Plan and Rockville's Amendment to the Montgomery County Heritage Area Management Plan at 7:31 p.m. Mayor Marcuccio verified with the City Clerk that the public hearing had been properly advertised.

Robin Ziek, Rockville Preservation Planner, introduced the public hearing and provided the Mayor and Council with an overview and background, including the recommendation by the Historic District Commission.

The Mayor and Council heard testimony from the following speakers:

- (1) Eileen McGuckian
- (2) Tom Kuehhas, Executive Director, Montgomery County Historical Society
- (3) Mary van Balgooy, Peerless Rockville
- (4) Craig Maloney, Historic District Commission

The complete testimony of the speakers can be found in the official public hearing file of the Mayor and Council in the City Clerk's Office. Mayor Marcuccio indicated that the public record would remain open until Friday, December 21, 2012 at 5:00 p.m. There being no other persons wishing to speak, the Mayor declared the public hearing closed at 7:53 p.m.

## **11. Consent Agenda**

- A. Award of RFP #20-12 for Public Works Equipment, Supplies and Support Services for a Contract Period up to Five (5) years in the Aggregate Amount not to Exceed \$2,500,000 to be used on an as-needed basis for Routine Supplies, Replenishment of Warehouse Stock and Emergency Infrastructure Needs Related to the City's Water, Sewer and Street Systems

**Motion:** To approve the Consent Agenda

Moved by Councilmember Hall, seconded by Councilmember Moore, and unanimously approved.

## **12. Discussion – 2013 State Legislative Session Preview with District 17**

Delegates Kumar Barve, Jim Gilchrist, and Luis Simmons, along with Senator Jennie Forehand, addressed the Mayor and Council and provided an in-depth recap of events over the past year legislative session. They also previewed the upcoming legislative session and how District 17 can collaborate with the City of Rockville to advance its legislative agenda in Annapolis. Priorities for the upcoming session include:

- Highway User Revenues
- Stormwater Utility Fees
- Red light camera late fees
- Speed camera photo approvals and who conducts them
- Transportation trust fund
- Death penalty
- Enhance penalties for crimes committed in front of or in the presence of children

Senator Forehand stated how proud she was of the newly renovated Rockville Senior Center and some of the funding for the project was provided by State Funds. Senator Forehand asked that Rockville communicate with District 17 representatives in terms of funding for projects in Rockville. Some projects the Senator is working on include:

- Veteran and veteran's family support
- Human trafficking
- Family violence issues
- Seatbelt law for all occupants
- Vote by mail for special elections

Senator Forehand closed by presenting the Mayor and Council with their 90 day legislative report. Questions of clarification posed by the Mayor and Council were responded to by the Delegates and Senator Forehand.

## **13. Presentation – FY 2014 Budget Preview**

Budget and Finance Manager Webster presented the staff report and said that this represents the official kickoff to the FY2014 budget process. Ms. Webster included the results of the Mayor and Council budget survey. The direction based on the majority preferences from the survey tool is as follows:

- Create a budget that maintains the real property tax rate at 29.2 cents
- Maintain the personal property tax rate at 80.5 cents along with the current personal property exemptions
- Continue with the current homeowners tax credit program
- Assume fees and charges will be analyzed and adjusted throughout the process
- Assume employee compensation will increase by 1.25%
- Assume the Mayor and Council's compensation will equal the Compensation Commission's recommendations for FY14

- Assume current employee benefits will continue
- Assume reduction in the planned transfer to the CIP
- Assume new tax supported debt to fund unfunded or underfunded CIP projects

Of the twenty programs and service areas presented to be evaluated by the Mayor and Council, the following did not have a majority preference:

- City communication and outreach
- Mayor and Council support services
- City parks and open space
- Engineering, design and construction services
- Financial management and budgeting services
- Information Technology Systems and Telephone Services
- Outside agency grants
- Planning and zoning services
- Recreation programs

Ms. Webster requested the Mayor and Council to review the survey results and provide direction as needed. Questions of clarification posed by the Mayor and Council were responded to by staff.

#### **14. Discussion – Creation and Duties of a Financial Advisory Board**

Mayor Marcuccio noted that two Councilmembers have requested a public hearing on this issue. In response to that request, Mayor Marcuccio suggested the current document be offered to the public for comments at a public hearing. Councilmembers Newton and Hall agree that this item should be discussed at a public hearing and Councilmember Newton noted that she has not received any comments from Councilmember Moore or Councilmember Pierzchala who requested the public hearing.

Mayor Marcuccio requested that staff put this time on the calendar for the Mayor and Council meeting of December 17, 2012, so the final document can be used for the public hearing.

The Mayor and Council discussed the issue at length. Staff provided clarification to Mayor and Council's questions regarding the required publication requirements for the proposed public hearing.

Councilmember Moore noted that based on the motion approved during the Mayor and Council meeting of December 3, 2012, and before he could go forward on this issue, he would like to have all the information on each of the items, as outlined in the agenda item form presented on the issue.

At the conclusion of the discussion, there was consensus by the Mayor and Council to conduct a public hearing on January 14, 2013.

#### **15. Review and Comment Regarding Mayor and Council Action Report**

No comments.

#### **16. Review and Comment Regarding Future Agenda**

Mayor Marcuccio noted the public hearing for the Creation of a Financial Advisory Board has been added to the January 14, 2013, agenda making it the third public hearing scheduled for that meeting. Staff noted changes to the proposed Mayor and Council meeting of December 17, 2012.

**17. Old/New Business**

No comments.

**18. Adjournment**

There being no further business, the Mayor and Council adjourned at 9:44 p.m.

**Motion:** To adjourn.

Moved by Councilmember Pierzchala, seconded by Councilmember Moore and unanimously passed.